PATENT
730083-2000.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Stelzer, et al.
Serial No.	:	09/943,346
For	:	MINIMALLY INVASIVE SURGERY DEVICE
Filed	:	August 29, 2001
Examiner	:	Catherine Serke
Art Unit	:	3763

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FACSIMILE

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

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Type or print name of person signing certification

Anne-Marie C. Yvon

Signature

November 6, 2003

Date of Signature

AMENDMENT AND RESPONSE TO OFFICE ACTION
WITH REQUEST FOR EXTENSION OF TIME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Action dated May 6, 2003, having a three-month term for reply.

REQUEST FOR EXTENSION OF TIME

Pursuant to 37 C.F.R. §1.136(a), a three-month extension of the term for reply, *i.e.*, to up to and including November 6, 2003, is requested. The Commissioner is authorized to charge $475.00, in payment of the fee under 37 C.F.R. §1.17(a) for a small entity, any additionally required fee for the extension, or any other fee occasioned by this paper, or credit any overpayment in such fees, to Deposit Account No. 50-0320.

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AMENDMENT

Please amend the application without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, as follows:

In the Claims:

1-13. (Cancelled)

14. (Currently amended) A method for administering a biologically active substance to a desired location within a mammal, said method comprising:

a) inserting into the mammal an instrument comprising a flexible shaft, having a distal end and a proximal end, wherein the shaft comprises a node mounted within a restraining structure at the distal end of the shaft, wherein a catheter, having a distal end and proximal end, can extend from the node, and wherein the node can be rotated to allow manipulation of the catheter at the distal end of the shaft; ~~including a channel therein into said mammal,~~

b) controlling the location of the distal end of the shaft via ~~through~~ control cables within the shaft such that the catheter is positioned at the desired location;[[,]] and

c) ejecting ~~projecting~~ the biologically active substance from ~~the end of the channel at~~ the catheter to the desired location.

15. (New) The method of claim 14, wherein a needle is located at the distal end of the catheter.

16. (New) The method of claim 14, wherein a nozzle is located at the distal end of the catheter.

17. (New) The method of claim 14, wherein the instrument further comprises at least two cameras located at the distal end of the shaft, positioned such that a stereoscopic image is conveyed to an operator.

18. (New) The method of claim 14, wherein the instrument further comprises a source of light or other electromagnetic radiation.

19. (New) The method of claim 14, wherein the shaft further comprises a second node mounted within a restraining structure at the distal end of the shaft, wherein a surgical tool can extend from the node, and wherein the node can be rotated to allow manipulation of the surgical tool at the distal end of the shaft.